

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION**

No. 21-MD-3010 (PKC)

This Motion Relates To:

THE STATE OF TEXAS, *et al.*,

Plaintiffs,

- against -

GOOGLE LLC,

Defendants.

No. 21-CV-6841 (PKC)

**DEFENDANT GOOGLE LLC'S NOTICE OF MOTION TO DISMISS
COUNTS I THROUGH IV OF STATE PLAINTIFFS' THIRD AMENDED COMPLAINT**

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Google LLC's Motion to Dismiss Counts I Through IV of State Plaintiffs' Third Amended Complaint in the above-captioned matter, and the Declaration of Andrew J. Ewalt and its accompanying exhibit, which are being submitted contemporaneously with this Notice of Motion, Defendant Google LLC will move this Court, before the Honorable P. Kevin Castel, United States District Judge for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, at a date and time to be set by the Court, for an Order dismissing with prejudice Counts I through IV of the Third Amended Complaint, No. 1:21-MD-3010 (PKC), ECF No. 195, on the ground that the State Plaintiffs have failed to state a claim upon which relief can be granted. *See* Fed. R. Civ. P. 12(b)(6); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

Dated: January 21, 2022

Respectfully Submitted,

/s/ Eric Mahr

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